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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,405	03/30/2004	Hannu Kulju	5292-12	4771

27799 7590 02/23/2007
COHEN, PONTANI, LIEBERMAN & PAVANE
551 FIFTH AVENUE
SUITE 1210
NEW YORK, NY 10176

EXAMINER

MAHMOOD, REZWANUL

ART UNIT	PAPER NUMBER
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2164

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/813,405	Applicant(s) KULJU ET AL.	
	Examiner Rezwanul Mahmood	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/8/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the communication filed on January 8, 2007.

Response to Amendment

2. Claims 1-15 are pending in this office action.
3. In view of the amendment filed on 01/08/2007, objections to the claims, specification, drawing and the information disclosure statement have been withdrawn.

Response to Arguments

4. Applicant's arguments filed on January 8, 2007 have been fully considered but they are not persuasive for the following reasons:

Applicant argues that "Ho fails to teach or suggest a method for transmitting parking-related data to a user in a parking fee system, in which the user records parking data when parking commences into a parking fee register of the parking fee system, and in which the method includes the steps of sending application data to a mobile station of the user, and activating an application utilizing the application data in the mobile station of the user, wherein the application offers the user, by utilizing the tariff, a chance during ongoing parking to keep track in real time of a sum of an accrued parking fee to be charged after the parking is concluded" and "Nothing is taught or suggested in cited passages of Ho regarding activating an application utilizing the application data in the mobile station of the user, the application offering the user by utilizing the tariff a

Art Unit: 2164

chance during ongoing parking to keep track in real time of at least a sum of an accrued parking fee to be charged after the parking is concluded and remaining parking time”.

Examiner respectfully disagrees all of the allegations as argued. Examiner, in his previous office action, gave detail explanation of claimed limitation and pointed out exact locations in the cited prior art.

Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. See MPEP 2111 [R-1]

Interpretation of Claims-Broadest Reasonable Interpretation:

During patent examination, the pending claims must be ‘given the broadest reasonable interpretation consistent with the specification.’ Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

Ho teaches in Column 1 lines 25-63, Column 2 lines 22-57, Column 3 lines 1-65 a parking meter device which transmits parking-related data to user in a parking fee system, the user being the parking service provider or the person who parks his vehicle, via radio network channels. The user can either receive the data from the portable device mounted in the vehicle or can receive data via radio network channels on his mobile or land telephone. The device keeps track of the approved parking period based on the account credit the user has, this can be a pre-paid payment card or a current credit and billing arrangement, and sends a signal to the user on his mobile or land telephone if the parking period is about to expire, inherently indicating how much fee the

Art Unit: 2164

user has so far accrued that will be charged to his account, the fee based on utilizing the tariff. So during ongoing parking, the user can keep track in real time of how much parking time he has remaining, and inherently realize how much fee he will be charged. Also the user can apply for an extension of the approved parking time, which inherently is keeping track of the remaining parking time and the accrued parking fee based on the users credit and billing arrangements.

For the above reasons, Examiner believed that rejection of the last Office action was proper.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Ho (US Patent 6,188,328).

7. With respect to claim 1, Ho discloses a method for transmitting parking-related data to a user in a parking fee system, in which the user records parking data when parking commences into a parking fee register of the parking fee system, said method comprising (Ho: Column 1, lines 25-39):

retrieving on the basis of the parking data from the parking fee register of the

Art Unit: 2164

parking fee system application data that includes at least a tariff and an expiration time of the parking, if the expiration time has been defined (Ho: Column 3, lines 1-1-19 and lines 60-65; Here the user requests and is granted a parking period in a certain area, inherently defining an expiration time. Also the user is notified of his parking period drawing to a close on his mobile or land phone);

sending the application data to a mobile station of the user (Ho: Column 3, lines 1-19 and lines 60-65; Here after the user has requested a parking period at a certain zone from the parking service provider, upon approval of the request application data is sent to the mobile station of the user, also data about parking period is send to user's mobile phone); and

activating an application utilizing the application data in the mobile station of the user, the application offering the user by utilizing the tariff a chance during ongoing parking to keep track in real time of at least a sum of an accrued parking fee to be charged after the parking is concluded and remaining parking time, if the expiration time has been defined (Ho: Column 3, lines 1-19 and lines 46-65; Here upon receiving the parking approval an application in the mobile station of the user is activated displaying to the user and others the remaining parking time. Inherently it can also display the sum of the accrued parking fee since the device already uses a pre-paid card or credit card for handling the fee).

8. With respect to claim 2, Ho discloses the method as claimed in claim 1, wherein a program code of the application is entirely included in the application data to be sent

Art Unit: 2164

to the mobile station (Ho: The program code or instruction to activate the application is included in the approval communicated to the user from the parking service provider).

9. With respect to claim 3, Ho discloses the method as claimed in claim 1, comprising:

storing the program code of the application in a memory of the mobile station (Ho: Column 2, lines 7-21; Here the mobile unit houses a computer that is programmed to carry out various functions. The computer inherently has some memory where the program code of the application is stored);

sending application data, which includes data related to only the parking event in question, to the mobile station, in the memory of which the program code of the application is stored (Ho: Column 2, lines 7-21; Column 3, lines 1-19; Here the mobile unit houses a computer that is programmed to carry out various functions. The computer inherently has some memory where application data sent by the parking service provider is stored); and

activating the application stored in the memory to utilize the application data sent (Ho: Column 2, lines 7-21; Column 3, lines 1-19 and lines 46-65).

10. With respect to claim 4, Ho discloses the method as claimed in claim 1, further comprising:

maintaining a log file in a memory of the mobile station by storing the data concerning the accrued parking fees into said log file (Ho: Column 2, lines 7-21; Column

Art Unit: 2164

3, lines 1-19 and lines 46-65; Here the mobile station stores in the memory data concerning the accrued parking fees and time. It can be stored and maintained as a log file).

11. With respect to claim 5, Ho discloses a parking fee system comprising:

a tariff database for maintaining data on tariffs of areas within the system, based on which parking fees in the areas concerned are charged (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 46-59; Here the parking service provider centrally manages the data on the tariffs of the areas within the system, inherently all the data is maintained in a database); and

a parking fee register including means for maintaining parking data on the vehicles belonging to the system, for which the parking fee register has received parking data indicating the commencement of the parking, said parking fee register being configured to send application data to a mobile station of the user of a determined vehicle in response to reception of the parking data indicating the commencement of the parking of said vehicle, the application data including at least a tariff retrieved from the tariff database on the basis of the parking data and the expiration time of the parking if such an expiration time has been defined, the application data initiating an application in the mobile station of the user, which utilizing said tariff offers the user a chance to keep track in real time during ongoing parking of at least a sum of an accrued parking fee to be charged after the parking is concluded and the remaining parking time if the expiration time of the parking has been defined Ho: Column 2, lines

7-21 and 25-61; Column 3, lines 1-19 and lines 46-65).

12. With respect to claim 6, Ho discloses the system as claimed in claim 5, wherein the parking fee register is configured to receive location information from a mobile network that indicates the location of the mobile station of the user while receiving the parking data, and based on the location information to determine the area, in which the parking has taken place (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 46-59; Here the mobile device can have Global Positioning System from which location information can be easily gathered).

13. With respect to claim 7, Ho discloses the system as claimed in claim 5, wherein the parking fee register is configured to send application data to the mobile station of the user, the application data including area-specific instruction data that can be utilized to initiate an application in the mobile station of the user to provide instructions to the user of the mobile station in predetermined situations (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 46-59; Here the parking service provider can send area-specific information to the user, providing instructions on the parking fees and time limits for parking).

14. With respect to claim 8, Ho discloses the system as claimed in claim 5, wherein the parking fee register is configured in response to a registration indicating the termination of the parking of a particular vehicle to send a predetermined deactivation

Art Unit: 2164

command to the mobile station of the user of the vehicle that deactivates the application initiated in the mobile station (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Here the parking service provider can transmit signal to the mobile device to terminate the parking period).

15. With respect to claim 9, Ho discloses a mobile station comprising:

a receiver for receiving application data (Ho: Item 13 in Figure 1); and

a display for displaying information to the user of the device, the mobile station being configured by means of the received application data to (Ho; Item 14 in Figure 1):

calculate during ongoing parking of the vehicle an accrued parking fee utilizing a tariff included in the application data (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65);

calculate remaining parking time if the application data shows that an expiration time of the parking has been defined (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65); and

provide the display with information that show at least the sum of the accrued parking fee to be charged after the parking is concluded and the remaining parking time if the expiration time of the parking has been defined (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65).

16. With respect to claim 10, Ho discloses the mobile station as claimed in claim 9, wherein the mobile station is configured to maintain in memory a log file by storing data

Art Unit: 2164

concerning the accrued parking fees into the log file (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Here the mobile station stores in the memory data concerning the accrued parking fees and time. It can be stored and maintained as a log file).

17. With respect to claim 11, Ho discloses a computer program configured to:

control an apparatus after activation to calculate an accrued parking fee utilizing a tariff received by the apparatus;

calculate remaining parking time if the apparatus has received a piece of information indicating the expiration time of the parking (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65); and

provide a display with information indicating at least the sum of the accrued parking fee and the remaining parking time if data concerning the expiration time of the parking has been received (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65).

18. With respect to claim 12, Ho discloses the computer program as claimed in claim 11, wherein the computer program is configured to control the apparatus to maintain in memory a log file concerning the accrued parking fee by storing a note into said log file concerning the accrued parking fee in response to a deactivation command of the computer program (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65).

19. With respect to claim 13, Ho discloses the method as claimed in claim 2, further comprising:

maintaining a log file in a memory of the mobile station by storing the data concerning the accrued parking fees into said log file (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Here the mobile station stores in the memory data concerning the accrued parking fee and time. It can be stored and maintained as a log file).

20. With respect to claim 14, Ho discloses the method as claimed in claim 3, further comprising:

maintaining a log file in the memory of the mobile station by storing the data concerning the accrued parking fees into said log file (Ho: Column 2, lines 7-21 and 25-61; Column 3, lines 1-19 and lines 32-65; Here the mobile station stores in the memory data concerning the accrued parking fee and time. It can be stored and maintained as a log file).

21. With respect to claim 15, Ho discloses the system claimed in claim 6, wherein the parking fee register is configured to send application data to the mobile station of the user, the application data including area-specific instruction data that can be utilized to initiate an application in the mobile station of the user to provide instructions to the user of the mobile station in predetermined situations (Ho: Column 2, lines 7-21 and 25-61;

Column 3, lines 1-19 and lines 32-65).

Conclusion

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Chelnik reference (US Patent 6,832,206) teaches about a parking verification system. The Reinhardt reference (US Publication 2003/0135407) teaches about a parking meter system. The Barends reference (US Publication 2003/0163434) teaches about a parking fee payment system. The Ilen reference (US Patent 5,905,247) teaches about a parking fee control device..


Art Unit: 2164

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rezwanul Mahmood whose telephone number is (571)272-5625. The examiner can normally be reached on M - F 10 A.M. - 5 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571)272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Rezwanul Mahmood
Examiner
Art Unit 2164

February 1, 2007


SHAHID ALAM
PRIMARY EXAMINER